



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 28 1989

MEMORANDUM

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

SUBJECT: Chromated Copper Arsenate (CCA). Proposed Amendment to Consumer Information Sheet (CIS) for Wolmanized Pressure Treated Lumber - Follow-up. No MRID #. DEB # 6120.

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THRU: Francis Suhre, Section Head *L. Cheng for*
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TO: Spencer Duffy, Review Manager
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DEB has been requested to clarify Conclusion 3 of our (F. Suhre) 9/26/89 memo pertaining to the use of CCA treated wood for construction of water troughs and feed and silage bunkers (see Cara Jablon's memo to S. Duffy, 11/6/89). Conclusion 3 states that "the residue data submitted with this action do not satisfy the requirements of 40 CFR 158.240."

Background

Our 9/26/89 review addressed the registrant's proposal to eliminate the current restriction against using Wolmanized treated lumber for construction of water troughs and silage and feed bunkers for food-producing animals. A PD-4 for Wood Preservative Pesticides: Creosote, Pentachlorophenol, and Inorganic Arsenicals was issued in 7/84. The PD-4 Final Position for Pressure-Treated Wood Preservatives, includes the following:

FIFRA Mandatory Consumer Awareness Program-Distribution of CIS to educate purchasers of treated wood about proper use and handling procedures.

Prohibitions on applying formulations to wood intended for use in interiors (with certain exceptions) or for use in contact with food, feed, or drinking water.

The Product Chemistry chapter for the Chromated Arsenicals Registration Standard was completed on 6/13/86. A Residue Chemistry chapter was not prepared because of the CIS restriction against the use of Wolmanized pressure-treated lumber for food/feed contact surfaces.

In other words, the removal of such a restriction would allow food/feed uses, and the entire set of data requirements specified under 40 CFR 158.240 would apply.

Current Consideration

Under 40 CFR 158.240 the types of data required include: chemical identity, directions for use, nature of the residue (plants and animals), residue analytical method, magnitude of the residue, proposed tolerance, etc. These data requirements are further discussed in the Pesticide Assessment Guidelines, Subdivision O and its addenda.

The relevant data in the submission reviewed in our 9/26/89 memo included only summary tables of residue data. These data were not supported by representative spectra and method recovery values. Furthermore, no residue analytical method (copy must not be marked confidential) was included. DEB is unable to conclude that the submitted data are valid.

CONCLUSION AND RECOMMENDATION

The proposed elimination of the current restriction against using Wolmanized treated lumber for construction of water troughs and silage and feed bunkers would result in food/feed uses. Accordingly, data requirements specified under 40 CFR 158.240 apply and these data are needed for consideration of the proposed amendment.

cc:Circ, RF, SF, Cheng, PMSD/ISB
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